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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/026,336 | 02/19/1998 | MASAHIDE TANAKA | 06205.0007 | 1637 |

7590 03/25/2004

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EXAMINER

VU, NGOC YEN T

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2612

DATE MAILED: 03/25/2004

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/026,336

Applicant(s)

TANAKA ET AL.

Examiner

Ngoc-Yen T. Vu

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 14-16 and 18-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 3-11, 14-16 and 18-20 is/are rejected.
7) ☒ Claim(s) 2 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 16.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 01/30/2004 has been entered.

Allowable Subject Matter

2. The indicated allowability of claims 1-11, 14-16 and 18-20 is withdrawn in view of the newly discovered reference(s) to Nagamine et al. (US #6,564,070). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1, 3-7, 10, 11 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Nagamine et al. (US #6,564,070).

Regarding claim 1, Nagamine ' 070 teaches a digital still camera (Figs. 14-18) comprising:

means for converting an optical image into a digital image signal (Fig. 18, camera block 200) (col. 11 lines 44-56);

transmitting means for transmitting an electromagnetic signal to a designated remote device accessible in accordance with a wireless telephone system, the electromagnetic signal containing a still image represented by the digital image signal (PHS block 203) (col. 12 lines 12-19, 53-67);

storing means (CPU block 202) for storing the digital image signal input from the means for converting, the number of pixels of the still image in the storing means being greater than that of the still image signal represented by the electromagnetic signal (Fig. 23, col. 11 lines 19-23; col. 12 lines 20-40; col. 13 lines 1-14; col. 14 lines 34-53; col. 16 line 53 – col. 17 line 5);

means for receiving from said remote device an identification signal transmitted back in response to the designation of said remote device (Fig. 14, TEL and VIEW);

modifying means for modifying the electromagnetic signal into a digital image signal (CPU 201-202);

reducing means (CPU 202) for reducing the number of pixels of the still image represented by said digital electronic image signal in the storing means prior to transmission and in response to the identification signal such that the remaining digital image signal has the same number of pixels as that of the still image signal represented by the electromagnetic signal (Fig. 23, col. 11 lines 19-23; col. 12 lines 20-40; col. 13 lines 1-14; col. 14 lines 34-53; col. 16 line 53 – col. 17 line 5); and

means for receiving the electromagnetic signal at the designated remote device (col. 12 lines 53-67).

As to claim 3, it is inherent that the reducing means (CPU 202) further reduces the time of transmitting one frame of the image by transmitting JPEG images.

Regarding claim 4, Nagamine teaches a digital still camera (Figs. 15-17) comprising:
converting means for converting an optical image into a digital electronic image signal (camera block 200);

storing means (CPU block 202) for storing the digital electronic image signal input from the converting means, the number of pixels of the still image in the storing means being greater than that of still image signal represented by an electromagnetic signal (DRAM 220);

extracting means (CPU 202) for extracting portions of the digital electronic image signal in the storing means such that the remaining digital image signal has the same number of pixels as that of the still image signal represented by the electromagnetic signal (col. 11 lines 19-23; col. 12 lines 20-40; col. 13 lines 1-14; col. 14 lines 34-53; col. 16 line 53 – col. 17 line 5);

receiving means (PHS block 203) for receiving the electromagnetic signal;
modifying means (CPU 201-202) for modifying the electromagnetic signal into a digital electronic image signal;

displaying means (LCD 214) for alternatively displaying a still image on the basis of the digital electronic image signal from the converting means or from the modifying means (Figs. 19, 20A and 22); and

controlling means (CPU 215) for controlling said displaying means in a first mode in response to a first type of said electromagnetic signal and in a second mode in response to a second type of said electromagnetic signal (col. 14 lines 8-56; col. 15 line 43 – col. 16 line 15; col. 17 line 6 – col. 18 line 28).

As to claim 5, Nagamine teaches that the first type of said electromagnetic signal represents a still image having fewer pixels than a still image represented by the second type of said electromagnetic signal (col. 11 lines 19-23; col. 12 lines 20-40; col. 13 lines 1-14; col. 14 lines 34-53; col. 16 line 53 – col. 17 line 5).

As to claim 6, it is inherent that the time required to transmit one frame of the still image represented by the first type of said electromagnetic signal (JPEG) is shorter than the time required to transmit one frame of the still image represented by the second type of said electromagnetic signal (full resolution images).

As to claim 7, Nagamine teaches that the controlling means (CPU 202) includes means for reducing the number of pixels of the still image signal in the second mode (col. 11 lines 19-23; col. 12 lines 20-40; col. 13 lines 1-14; col. 14 lines 34-53; col. 16 line 53 – col. 17 line 5).

As to claim 10, Nagamine teaches distinguishing means (CPU 202) for distinguishing the first type of electromagnetic signal from the second type of electromagnetic signal and means responsive to the distinguishing means for switching the controlling means between the first mode and the second mode (Figs. 19-22; col. 14 lines 8-56; col. 15 line 43 – col. 16 line 15; col. 17 line 6 – col. 18 line 28).

Regarding claim 11, Nagamine teaches a digital still camera (Figs. 15-17) comprising:
converting means for converting an optical image into a digital electronic image signal (camera block 200);

modifying means (PHS 203) for modifying an electromagnetic signal into a digital electronic image signal in accordance with a wireless telephone system;

reducing means (CPU 201-202) for reducing the number of pixels of a still image prior to transmission;

storing means (CPU 202) for storing the digital electronic signal input from the converting means, the number of pixels of the still image in the storing means (DRAM 220) being greater than that of the still image signal represented by the electromagnetic signal (ROM 213);

extracting means (CPU 202) for extracting portions of the digital electronic image signal in the storing means such that the remaining digital image signal has the same number of pixels as that of the still image signal represented by the electromagnetic signal; and

transmitting means (PHS 203) for transmitting the electromagnetic signal representing the still image signal of fewer pixels (col. 11 lines 19-23; col. 12 lines 20-40; col. 13 lines 1-14; col. 14 lines 34-53; col. 16 line 53 – col. 17 line 5).

As to claim 18, Nagamine teaches means for receiving an electromagnetic signal (PHS block 203); and second means (CPU 201-202) for modifying the received electromagnetic signal into a digital electronic image signal indicative of a still image, wherein the displaying means is capable of alternatively displaying the still image on the basis of the digital electronic image signal from the converting means or from the second modifying means (Figs. 19-22; col. 14 lines 8-56; col. 15 line 43 – col. 16 line 15; col. 17 line 6 – col. 18 line 28).

As to claim 19, Nagamine teaches that the number of pixels of the still image from the second modifying means is substantially equal to that of the image displayed by the displaying means (col. 14 lines 8-56; col. 15 line 43 – col. 16 line 15; col. 17 line 6 – col. 18 line 28).

As to claim 20, Nagamine teaches a means for receiving audio input (microphone 106); a means for transmitting the audio input as part of the electromagnetic signal (PHS 203); and a means for converting the audio input as part of the electromagnetic signal back into an audio output (loudspeaker 105).

Claim Rejections - 35 USC § 103

5. Claims 8, 9 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagamine '070.

As to claims 8, 9 and 16, Nagamine teaches displaying means (LCD 214) for displaying a still image on the basis of the digital electronic image signal from the converting means (camera block 200) or from the CPU block 202 (see Figs. 19-22). Nagamine does not explicitly teach that the displaying means comprises fewer pixels than the still image represented by the second type of said electromagnetic signal or comprises the same number of pixels as first type of electromagnetic signal. For the purpose of reducing the power consumption of the LCD 214, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the digital camera taught in Nagamine so as the LCD 214 has fewer pixels than the photoelectric converting device 205 in the camera block 200.

As to claims 14-15, Nagamine teaches a flash ROM 213 for storing compressed image, voice or text data. Although Nagamine does not explicitly teach that the flash ROM 213 is removable or the flash ROM includes means for connecting a card leading to an external device, Official Notice is taken that it is well known in the art to store image data in a removable recording medium which includes a connector for leading to an external device. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

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include a removable storage device in the digital camera of Nagamine so as to allow the image data to be transferred to an external device, such as a computer or a printer.

Allowable Subject Matter

6. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc-Yen T. Vu whose telephone number is 703-305-4946. The examiner can normally be reached on Mon. – Fri. from 8:00 am to 4:30 pm.

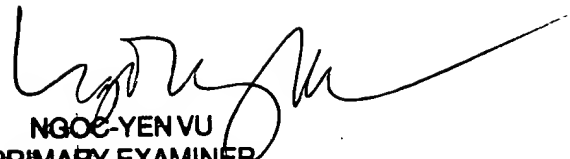
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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NGOC-YEN VU
PRIMARY EXAMINER
Art Unit 2612

NYV

03/20/2004